IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 27329 of 2003

Between:

M/s. Radha Theatre, Gandhinagar, Vijayawada, Rep. by its Managing Partner Peddu Balaram Krishnaiah, S/o. Rajaram Mohanrai aged about 50 years.

..... PETITIONER

AND

1 The Deputy Commercial Tax Officer, Gandhinagar Circle, Viajayawada,

Office of the Commercial Tax Officer, Suryaraopet Circle, Vijayawada.
2 Assistant Commercial Tax Officer, Gandhinagar Circle, Vijayawada.
3 The Deputy Commissioner of Commercial Taxes, Vijayawada-II division,

Vijayawada.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction particularly in the nature of Writ of Mandamus declaring the action of the first respondent in issuing the notice of attachment on 8-12-2003 under the provisions of the Andhra Pradesh Revenue Recovery Act 1864 as gazetted in the district official gazette on 22-12-2003 during pendency of the representation dated 4-4-2003 submitted to the third respondent herein for permission to pay the arrears of entertainment tax in monthly installments as illegal, arbitrary, improper, unjust and violative of principles of natural justice and consequently direct the third respondent herein to consider the representation of the petitioner submitted on 4-4-2003 for grant of installments and grant such other relief

or reliefs as are deemed fir and proper in the circumstances of the case.

Counsel for the Petitioner:MR.M.V.J.K.KUMAR, Advocate.

Counsel for the Respondents : GP FOR COMMERCIAL TAXES

The Court made the following :

–

–

–

ORDER : (Per Sri Bilal Nazki, J).

The petitioner seeks an amendment in the order dated 09.02.2004. By this order, amounts were fixed, which are to be paid by the petitioner in instalments and he has failed to pay the instalments. The order was passed on an undertaking in the affidavit given by the petitioner himself. Therefore, we do not see any ground to modify that order. Writ Petition is accordingly dismissed. No costs.

_____

(BILAL NAZKI, J)

9th August, 2004.

_____

(S.ANANDA REDDY, J)

ajr.

To

1 The Deputy Commercial Tax Officer, Gandhinagar Circle, Viajayawada,

Office of the Commercial Tax Officer, Suryaraopet Circle, Vijayawada.
2 The Assistant Commercial Tax Officer, Gandhinagar Circle, Vijayawada.
3 The Deputy Commissioner of Commercial Taxes, Vijayawada-II division,

Vijayawada.

4 Two C.Cs. to the G.P. for Commercial Taxes, High Court buildings,

Hyderabad (O.U.T.)

5 Two C.D. copies.